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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,036	10/10/2001	Takayoshi Nakazato	P21334.P06	5056

7055 7590 05/21/2004

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RESTON, VA 20191

EXAMINER

MARKS, CHRISTINA M

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application No.**

09/973,036

**Applicant(s)**

NAKAZATO, TAKAYOSHI

**Examiner**

C. Marks

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 10-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-14 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

The rejection of claims 7-9 has been withdrawn due to the cancellation of the claims in the amendment filed 09 March 2004.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-6, 10-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ando et al. (US Patent No. 6,200,138) in view of Lords of the Realms II (Sierra Online).

Ando et al. disclose a game apparatus that can execute a game program (Column 3, lines 5-6) wherein the game program is responsible for a executing a game that includes a display controller that displays a characters position within a game field as well as a predetermined area around the character (FIG 7A). The program and system are able to recognize the target destination position of the player's character (Column 1, lines 10-11) that is fixed (Column 1, line 18) in the game field. Thus, a recognition-type system is used to recognize the target position as well as the player's. The program and system also recognizes the current position of the player as a movable object (Column 4, line 4). The display includes the position of the player within the field as well as the predetermined area around the character (FIG 7A). The current position is recognized in order to provide an indicating means directing the player towards the destination (Column 4, lines 9-11). When the target position is not displayed on the screen in the area around the player (FIG 7A), an indicator (FIG 7A) in the form of an arrow is displayed to indicate a direction extending towards the target position (Column 8, lines 65-67). The indicator is displayed in the vicinity of an edge of the display and point in the target position direction (Column 8, line 57-58). The arrows are a result of

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recognition of the player entering an area that is near a direction indicating position (Column 8, lines 57-59).

Further, Ando et al. disclose a storage medium (Column 16, line 43) for storing the program used to execute the process disclosed. Though the exact type of medium is not disclosed, it would be inherent to the system that the medium be a computer readable recording medium in order for the device to be able to read the contents of the program to be able to execute the process.

Ando does not disclose a first display area for the player's character and a second smaller display to show a larger area of game field.

The goal and purpose of the Ando et al. display system is to aid players in reaching their final destination by informing them of how their position is relative to that destination ((FIG 7A and Column 8, lines 65-67).

Lords of the Realm II discloses a feature that supplements the goal of Ando et al. by providing the player a first display area for the player's character and a second smaller display that shows a larger area of the game field (see FIG 1 and 2 below).

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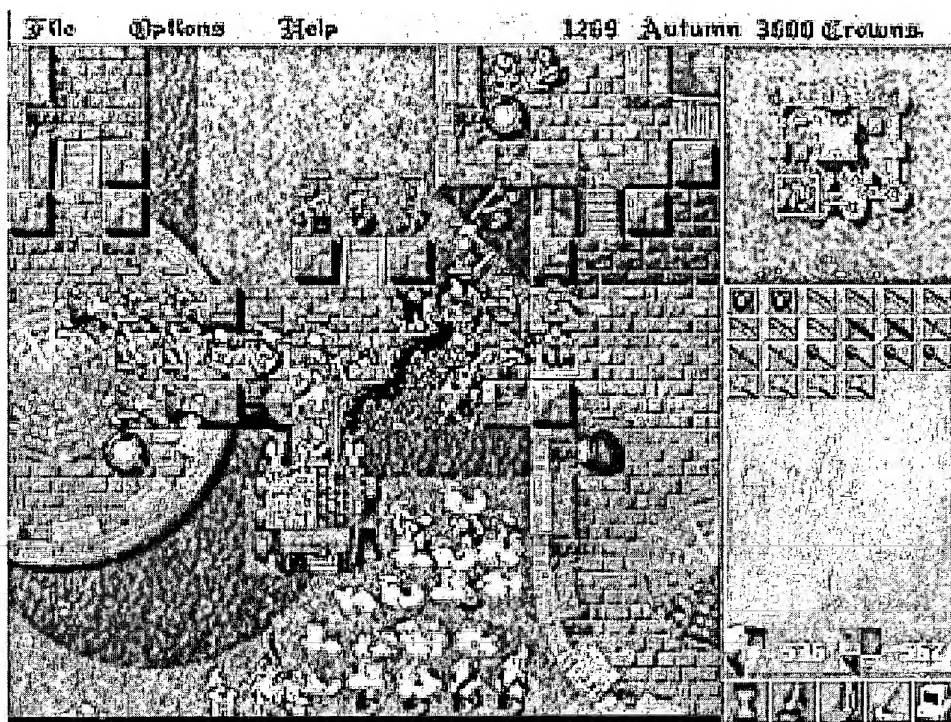


FIG1: Lords of the Realm II shows the player in battle in a larger screen that indicates a position and the area immediately around wherein the smaller window to the upper-left shows the player's position by the highlighted area as well as the entire play area.

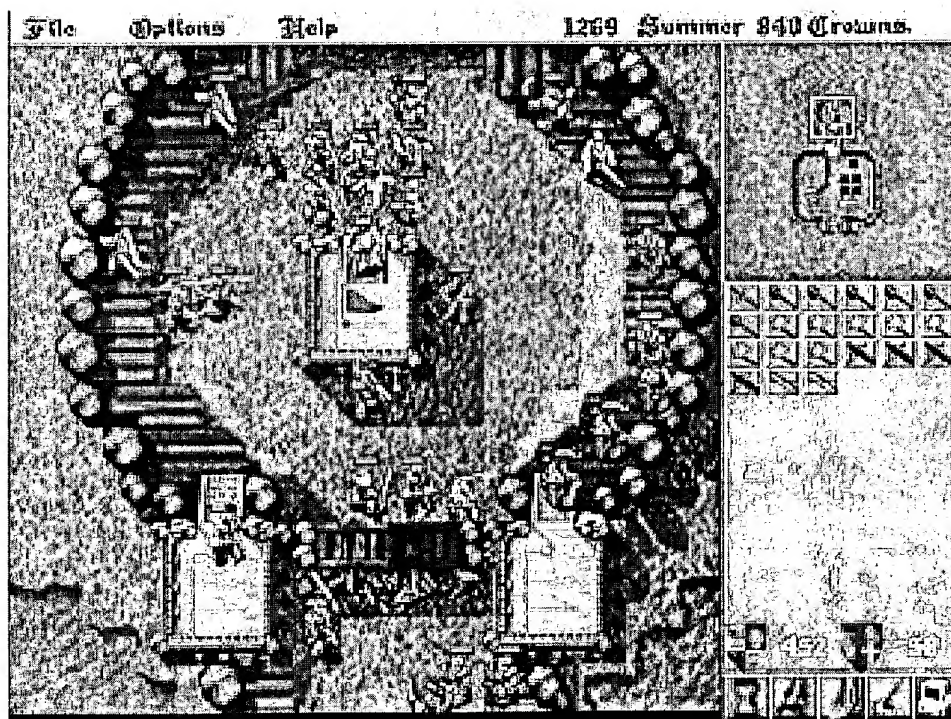


FIG2: Lords of the Realm II shows the player in battle in a larger screen that indicates a position and the area immediately around wherein the smaller window to the upper-left shows the player's position by the highlighted area as well as the entire play area.

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It would have been obvious to one of ordinary skill in the art to supplement the goal of Ando et al. by incorporating the teachings of the display used in Lord of the Realm II. By the combination, the display can show the player's position and the field immediately around them wherein they would still be informed of the entire playing field in order to help them navigate additionally to the arrow tool. One of ordinary skill in the art would be motivated to make this incorporation in order to 1) supplement the teachings of Ando et al. to further aid the player in reaching their destination, 2) allow the player to become better at ascertaining their position with respect to their destination as they can gauge their current position versus the end position, and 3) the ability to see not only the direction they need to go, but also be able to garnish the obstacles and distance until that distance is met. By these advantages gained from the combination, a skilled artisan would recognize the enhanced value provided to the player by furthering the goal of Ando et al. and thus would be motivated to apply the teachings in order to provide a more user-friendly and informative display area.

Regarding claim 2, Ando et al. also disclose that the indicator can periodically change brightness, as it is capable of flashing (Column 9, lines 19-22).

Regarding claim 3, the player's character position is shown in both the first and second display areas.

Regarding claims 4-6 and 14, Ando et al. do not explicitly disclose a game control method in association with the game apparatus executing a program. However, it is notoriously well known in the art that a game program is essentially a series of steps and therefore a method, which is also a series of steps, would be obvious to one of ordinary skill in the art based upon a disclosure of a program. Further, Lords of the Realm II is disclosed as a program.

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Regarding claims 13-14 and 16, the display, program and medium all include the ability to cause the display to define a magnification of the predetermined area around the players character based on character position (In FIG 9A, the predetermined area around character is only the road area which is magnified, the people are in the game field but not the predetermined area. In FIG 9B, the people have become the predetermined area, thus the people and the buildings are magnified based on the change in the character's position).

### ***Response to Arguments***

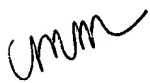
Applicant's arguments with respect to claims 1-6, 10-14 and 16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Marks whose telephone number is (703)-305-7497. The examiner can normally be reached on Monday - Thursday (7:30AM - 5:30 PM).

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
cmm  
May 17, 2004

  
JOHN M. HOTALING, II  
PRIMARY EXAMINER